



#18/Petition
PATENT
Docket No.: PIT-010CH
(Formerly 2710-4007US2)
[Signature]

Certificate of Express Mailing

Date of Deposit: July 28, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service as **Express Mail** bearing Express Mail Label No. EV324102515US under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Leslie A. Serunian
Leslie A. Serunian, Reg. No. 35,353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael B. Chancellor et al.

Serial No. : 09/549,937

Filed : April 14, 2000

For : **Soft Tissue and Bone Augmentation and Bulking Using
Muscle-Derived Progenitor Cells, Compositions and
Treatments Thereof**

Art Unit : 1635

Examiner : Brian A. Whiteman

RECEIVED
JUL 30 2003
TECH CENTER 1600/2900

MAIL STOP AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT COLOR DRAWINGS

Applicants hereby petition under 37 C.F.R. §1.84(a)(2) that the enclosed color drawings (figures) are necessary as the only practical medium to disclose the subject matter of the present application. The drawings (figures) depict areas of different types

07/30/2003 MBERHE 00000166 080219 09549937
02 FC:1460 130.00 DA

Applicants: Michael B. Chancellor et al.
Serial No.: 09/549,937
Filed: April 14, 2000
Page -2-

Docket No.: PIT-010CIP
(Formerly: 2710-4007US2)

of tissues that have been injected with the MDCs according to the invention and stained with dyes that emit color to reveal differentially stained tissue sections and cells at and around the site(s) of injection. These analyses are most practically depicted by color figures to demonstrate the different regions of the tissue and the cells that are stained by the various staining materials to show the effects of the methods of the invention.

Further, in an amendment filed concurrently in this application, applicants have amended the specification of the present application after the "Description of the Drawings" to include the requisite statement concerning color drawings (figures) in the application.

The Commissioner is hereby authorized to charge the \$130.00 fee required under 37 C.F.R. § 1.17(h) for filing this petition and three sets of the color drawings (figures), as well as any other fees that may be properly assessable in this application, to Deposit Account No. 08-0219.

Respectfully submitted,

HALE AND DORR LLP

Date: July 28, 2003

By: Leslie A. Serunian
Leslie A. Serunian
Reg. No. 35,353

Correspondence Address:

Hale and Dorr LLP
300 Park Avenue
New York, NY 10022
Telephone: (212) 937-7200
Facsimile: (212) 937-7300
Direct Tel.: (212) 937-7315